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Via ECF

April 27, 2017

The Honorable Kiyo A. Matsumoto
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: **United States v. Shkreli and Greebel, No. 15-CR-00637 (KAM)**

Dear Judge Matsumoto:

I write on behalf of non-party Retrophin, Inc. in response to Mr. Shkreli's April 26, 2017 Memorandum of Law in Further Support of his motion to compel. (ECF No. 211.) After appearing to concede in an earlier filing that the documents on Retrophin's log were privileged, Mr. Shkreli argues in this most recent filing that Retrophin waived privilege over its entire privilege log by strategically producing documents to the government. (*Id.* at 9-10.) Because this issue was not briefed in Mr. Shkreli's previous submissions, Retrophin has not had the opportunity to respond. We respectfully request that we be permitted to file a short brief on the issue of waiver by the end of the day on May 5, 2017. We also request oral argument on the issue.

Respectfully submitted,



William J. Schwartz

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cc: Counsel for the Parties (Via ECF)